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July 10, 2008

Honorable Laura Taylor Swain  
 United States District Court  
 Southern District of New York  
 500 Pearl Street  
 New York, NY 10007

## MEMO ENDORSED

RE: Western Surety Co. v. Primaris Airlines Inc.  
08 Civ. 3478 (Judge Swain, SDNY)

Dear Judge Swain:

In reference to the above-captioned action, my client has made an offer of compromise to the U.S. Customs which I am advised is likely to be accepted. This will resolve all the issues of the instant case and Plaintiff will not have nor will it incur any out-of-pocket losses. Accordingly, I request our Preliminary Pre-Trial Statement and Conferences with the Court be deferred. We will report promptly after receiving notice of whether the offer of compromise was accepted by U.S. Customs. If it is accepted, it should be dispositive of this case.

Thank you for your consideration of the forgoing.

*The conference is adjourned to September 19, 2008,  
 at 10:00AM and the related deadlines are  
 Modified accordingly.*

SO ORDERED.

*Norman B Arnoff*  
 Norman B. Arnoff

NBA/nkl  
1678-1

*7/15/2008*  
 LAURA TAYLOR SWAIN

UNITED STATES DISTRICT JUDGE

cc: Michael P. O'Connor, Esq.  
 Gary Reese, Esq.

